

REMARKS**Introductory Comments:**

Claims 1-19 are pending in the application. Claim 3 is objected to for informalities. Claims 1-3, 7, and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5748230 to Orlando et al. Claims 4-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orlando et al. Claims 8 and 15-19 are allowed. Claim 8 is cancelled, and claim 7 is amended to include the elements of claim 8. Applicants respectfully request reconsideration of claims 1-7 and 9-14.

In Response To The Objection For Claim Informalities:

The Applicants have amended claim 3 in accordance with the Examiner's suggestion.

In Response To The 35 U.S.C. 102 Claim Rejections:

Claims 1-3, 7, and 10-14 are anticipated because, according to the Office Action, the camera testing system of Orlando (col. 1 lines 6-9, noting Fig. 1) includes a camera output from element 18 displayed (monitor not shown: e.g. col. 4 lines 64-67; col. 5 line 9; col. 6 lines 1-3) within inherent default parameters, namely max levels achievable by the display unit. The light source is allegedly adjusted by controller 32 (claimed dimming component) such that various lamp levels are used for image testing (e.g. col. 3 lines 65-67), and respective signals are obtained therefrom per lighting condition, and are in turn displayed and analyzed (col. 3 line 67 - col. 4 line 6), as calculations for various parameters are made (e.g. col. 5 line 2+), thereby allegedly meeting claims 1 and 7.

In response to these rejections, Applicants amend claim 1 to include at least one human observer analyzing the first and second lighting condition signals

for viewability of the target from Page 7, Paragraph [0027], which Orlando does not teach or suggest. No new matter has been added.

Orlando includes an automated testing system. Although the Office Action recognized that Orlando does not teach at least one human observer, the Office Action alleged (in the rejection of claim 14) that any observer can view the monitor. However, Orlando not only does not teach this limitation, it expressly teaches away from having an observer analyzing visual signals on a monitor because automated results more accurate and less expensive. (Column 3, Lines 33-36.) Claim 1 includes a human observer analyzing lighting conditions because, for the testing system and method of the present invention, it is faster and more reliable to have a human observer analyzing lighting condition signals as a function of glare. Therefore, because each and every element of claim 1 is not included in the prior art, claim 1 is believed to be allowable. Claims 2-6 depend from claim 1 and are believed to be allowable for at least the aforementioned reason.

Also in response to the aforementioned rejections, claim 7 is amended to include the limitations of newly cancelled claim 8. The Office Action recognizes that claim 8 is allowable, and therefore the amended claim 7 is also believed to be allowable over the prior art. Claims 9-14 depend from the amended claim 7 and are believed new for at least the aforementioned reason.

In Response To The 35 U.S.C. 103(a) Claim Rejections:

Claims 4-6 and 9 are rejected because, according to the Office Action, although they are not expressly included in the prior art, they would have been obvious variations thereof. Claims 4-6 and 9 depend from amended claims 1 and 7 respectively and are believed to be allowable for at least this reason.

Conclusions:

In view of the aforementioned remarks, it is respectfully submitted that all pending claims are in a condition for allowance. A notice of allowability is therefore respectfully solicited. Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Should the Examiner have any further questions or comments please contact the undersigned.

Respectfully submitted,

By: 

Justin H. Purcell
Reg. No. 53,493
28333 Telegraph Road
Suite 250
Southfield, MI 48034
(248) 223-9500

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